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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED

July 2, 2007

BY FACSIMILE

The Honorable Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street, Room 640
New York, New York 10007
Fax: (212) 805-6326

Re: United States v. Esmond Elcock, Jr., et al.,
07 Cr. 582 (CM)

Dear Judge McMahon:

Enclosed please find a copy of the Indictment in the above-referenced case, which was assigned to Your Honor on June 27, 2007. Two of the defendants, Pierre Richard Rene and Nadine Whittingham, were previously arrested on a Complaint, and both were released on bail conditions. Defendant Esmond Elcock, Jr. has not yet been arrested. Pierre Rene is represented by Xavier Donaldson, Esq., and Nadine Whittingham is represented by Fiona Doherty, Esq. An initial conference has been set in this case for Tuesday, July 17, 2007, at 9:30 a.m.

The Government respectfully requests that time be excluded in this matter pursuant to Title 18, United States Code, Section 3161(h)(8)(A), until the next scheduled conference, on July 17, 2007. Such an exclusion will serve the ends of justice and outweighs the interests of the defendants and the public in a speedy trial because, among other reasons, it will enable the Government to produce discovery, the defense to review that discovery and

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The Honorable Colleen McMahon
July 2, 2007
Page 2 of 2

contemplate any motions, and the parties to discuss a possible disposition of this matter. The Government has attempted to speak with counsel for both Mr. Rene and Ms. Whittingham regarding this request, but has not yet been able to reach them.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: Jonna Dabbs
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Encl.

cc: Xavier Donaldson, Esq. (by facsimile)
Fiona Doherty, Esq. (by facsimile)